

1
2
3
4
5
UNITED STATES DISTRICT COURT
6

7 EASTERN DISTRICT OF CALIFORNIA
8

9 BENJAMIN KARL RAY BUNTON,
10 Plaintiff,

11 v.
12 KEVIN SMITH, et al.,
13 Defendants.

Case No. 1:23-cv-00211-JLT-SAB

14 ORDER SETTING PLAINTIFF'S MOTION
15 TO WITHDRAW AS COUNSEL TO
16 JANUARY 21, 2026, AND DIRECTING
17 DEFENDANTS TO FILE OPPOSITION OR
18 STATEMENT OF NON-OPPOSITION
19 (ECF Nos. 84, 86)

20 On December 16, 2025, counsel Nicholas B. Enger, attorney for Plaintiff, filed an
21 emergency motion to withdraw as counsel. (ECF No. 84.) The Court observes that counsel did
22 not set a hearing date in the motion as required under Local Rule 230(b). Subsequently, William
23 F. Sulton, appearing *pro hac vice*, filed a motion to withdraw as counsel of record for Plaintiff and
24 noticed the motion for hearing on January 21, 2026. (ECF No. 86.)

25 Accordingly, it is HEREBY ORDERED that the hearing on Attorney Enger's motion to
26 withdraw as counsel shall be set for **January 21, 2026, at 10:00 a.m. in Courtroom 9**. Upon
27 further review, it appears that Attorney Enger has not complied with Local Rule 182(d), which
28 requires that “[t]he attorney shall provide an affidavit stating the current or last known address or
addresses of the client and the efforts made to notify the client of the motion to withdraw.” L.R.
180(d). Counsel is advised to consult Rule 182(d) and cure this deficiency **no later than Friday**,

29 ///

30 ///

31 ///

32 ///

1 **December 19, 2025.** Defendants are DIRECTED to file an opposition or statement of non-
2 opposition in compliance with Local Rule 230(c).

IT IS SO ORDERED.

Dated: **December 16, 2025**



STANLEY A. BOONE
United States Magistrate Judge